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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,022	01/02/2004	Eric A. Portman	10022/325	3692
33391	7590	02/20/2007	EXAMINER	
BRINKS HOFER GILSON & LIONE ONE INDIANA SQUARE, SUITE 1600 INDIANAPOLIS, IN 46204			WIN, AUNG T	
			ART UNIT	PAPER NUMBER
			2617	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	02/20/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/751,022	PORTMAN ET AL.	
	Examiner	Art Unit	
	Aung T. Win	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 13 November 2006.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-66 is/are pending in the application.

    4a) Of the above claim(s) 1-35 is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 36-66 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
    a) All    b) Some \* c) None of:  
        1. Certified copies of the priority documents have been received.  
        2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
        3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date: _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application 6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 36-41, 43-52 & 54-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elsey et al. (US 20020055351A1) in view of Woods et al. (US 20020049907A1), further in view of Berkely et al. (US006546005B1).

1.1 Regarding Claim 36, Elsey discloses the method to provide an information assistance service to a wireless terminal [Abstract] [Summary] [Figures 1-23]. The method comprises receiving a contact information request of a subscriber terminal located on information assistance service server [Information Hub: Figure 1] [411 service: 0012 & 0055] and providing the requested contact information request of the subscriber terminal to the wireless terminal [if the requested information is not private information: 0064].

Elsey teaches that if the requested contact information is private information, the wireless terminal is still be connected to the subscriber terminal without providing the requested contact information to the wireless terminal [0064] i.e., by generating and transmitting an authorization request to the subscriber terminal whether the subscriber

terminal wants to establish the connection with the wireless user or not [Privacy protection: 0064 & 0078] [Authorization request: 0067 & 0074] [Private Information: Figure 7].

Elsey's does not explicitly teach as claimed i.e., providing requested information of the subscriber terminal in response to the authorization information received from the subscriber terminal. However it is obvious to skilled in the art that such feature is well within the scope of Elsey's information assistance method because Elsey's teaches sending authorization request to the subscriber terminal regarding the contact information request of the subscriber terminal. At the time of invention of made, 411 directory assistance service and assistance application to provide such service is also well known to one of ordinary skill in the art:

Woods discloses sharing stored private information of the authority based on authorization replied by the authority [See summary; Paragraph 0032] [Also see Figures]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention of made modify the Elsey's system and method as taught by Woods to share private information of the subscriber terminal based on authorization response received from the subscriber terminal as claimed. One of ordinary skill in the art at the time of invention of made to do this to provide improved directory assistance system for both wireless and conventional telephone users by sharing information effectively while protecting the privacy of the user and the security of the data [Woods: Paragraph 0009-0010].

Modified method does not explicitly disclose claimed determining step for

determining a contact preference. Berkley disclose user contact information database comprising user's contact preference [Figure 2] [Ability to reach a user is subject to the user's preference: Column 8, Line 1-16] [Preferred communication option: Column 11, Line 55-Column 12, Line 35].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention of made to further modify the method to process the call based on subscriber contact preference as taught by Berkley. One of ordinary skill in the art at the time of invention of made to do this to process the calls efficiently and appropriately [Column 4, Line 25-30].

1.2 Claims 48 & 58 are rejected for the same reason as stated above in Claim 1 rejection. At the time of invention of made, it is obvious to one of ordinary skill in the art that modified system comprises claimed computer program embodied on computer readable medium comprising code segments in order to execute the claimed steps accordingly.

1.3 Claims 59 & 66 are the system claim rejected for the same reason as rejections stated above because executed steps by claimed means substantially close to the corresponding steps of Claim 1. It is obvious to one of ordinary skill in the art that modified system and method teaches claimed information assistance application incorporated in the information assistance server in order to process as claimed [Elsey: Information Hub 10: Figure 1].

1.4 Claims 37, 38, 49, 50, 60 & 61 are rejected for the same reason as Claim 1 rejection stated above. Regarding Claims 37, 3, 14, 15, 26 & 27, modified system and method teach generating step for providing authorized private information of the subscriber terminal [See Claim 1 rejection].

1.5 Claims 39, 43, 46, 51, 54, 62 & 63 are rejected for the same reason as rejections stated above. It is obvious to one of ordinary skill in the art that modified system teaches claimed responses because Elsey teaches claimed responses comprising telephone response, SMS response, email response, facsimile response or other delivery methods (i.e., such responses read on multi-modal response) [Elsey: Abstract & Paragraph 0012, 0096].

1.6 Claim 40 is rejected for the same reason as rejections stated above because modified method is the directory assistance information providing method [See rejections above].

1.7 Regarding Claims 41, 52, 55, 57 & 64, modified system comprises the Voice Response Unit [Elsey: Paragraph 0051 & 0053] therefore the modified system teaches the claimed voice recognition module. At the time of invention of made, it is obvious to one of ordinary skill in the art that information assistance system teaches determining the identify of the user based on voice recognition module and voice print analysis

because modified information assistance method is based on identify of the requesting wireless terminal. Moreover, Interactive Voice Response system (IVR) system for identification users based on voice print analysis and voice recognition application is well known to skilled in the art at the time of invention of made. Therefore, concept and advantages of such feature does not constitute the patentably distinct limitation from modified method and system.

1.8 Claims 44, 45, 47, 56, 65 is rejected for the same reasons as rejections stated above. Modified system and method teaches determining contact preference based on the contact preference information database [See Claim 36 rejections].

2. Claims 42 & 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elsey et al. (US 20020055351A1) in view of Woods et al. (US 20020049907A1), further in view of Berkely et al. (US006546005B1) and Sugiyama et al (US006345245B1).

2.1 Regarding Claims 42 &53 , modified system and method teaches processing contact information request but does not explicitly disclose processing with Natural Language Processing module. Sugiyama teaches such claimed feature lacks in modified system [Background and Summary] for translating the transmitted information.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention of made to utilize natural language processing system as claimed to process contact information request as claimed. One of ordinary skill in the art at the

time of invention or made to do this to provide improved information assistance system to process the request effectively [Sugiyama: Background]

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Handel et al. US007076504B1

Futagami et al. US006754665B1

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aung T. Win whose telephone number is (571) 272-

7549. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
DUC M. NGUYEN  
SUPERVISORY PRIMARY EXAMINER  
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Aung T. Win  
Group Art Unit 2617  
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